Student Affairs has notified the organization that further occurrences of such conduct by one or more members will result in disciplinary actions against the organization. Examples of such violations include, but are not limited to, offenses against persons, offenses against property, alcohol abuse and illegal drug abuse. The notice will be in sufficient detail to notify the officers of the precise nature of the offenses and the length of time the notice shall be effective.

6. ARTICLE V: CONDUCT PROCEDURES

A. Charges and Investigations

(1) Any member of the University community may file complaints against any student for misconduct. Complaints may be prepared in writing and directed to the Office of Student Conduct. Any alleged violation should be submitted as soon as possible after the event takes place, preferably within one month (28 days) of the knowledge of occurrence. While preferred, a formal, written complaint from a member of the University community is not required to initiate the conduct process.

(2) Any Conduct Investigator, who has reason to believe that a violation of this Student Code may have occurred, is authorized to begin an investigation in the same manner as if a complaint from a member of the University community had been received. The Office of Student Conduct may investigate and cite students or organizations with misconduct when that Office has reason to believe that a violation may have occurred.

(3) A Conduct Investigator or Conduct Body may issue a summons for a student or organization to appear for discussion about an alleged violation or for a hearing in a pending complaint. The summons may also include an order to produce records that may be helpful in the course of an investigation or in the prosecution of a complaint.

(4) The Conduct Investigator may conduct an investigation to determine if the alleged violations have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Conduct Investigator, subject to the approval of the Conduct Administrator. Such disposition shall be final and there shall be no subsequent proceedings.

(5) The accused has the right to be assisted during the investigation by any adviser he or she may choose, at their own expense. The adviser may be an attorney. Any such adviser, however, has no right to speak or participate directly in any aspect of the charge and investigation process. The student must speak on his/her own behalf and communicate directly with the Conduct Investigator.

(6) All alleged violations shall be presented to the accused student in written form. A time shall be set for a hearing, not less than five nor more than fifteen calendar days after the student has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the Conduct Administrator.

B. Hearings

Hearings shall be conducted by a Conduct Body according to the following guidelines. A Hearing Officer shall exercise all the powers attributable to the chairperson of the Conduct Body as described below. Student organizations shall have all the rights of students listed herein, which shall be exercised by the president of the organization.

(1) Hearings normally shall be conducted in private. At the request of the accused student, and subject to the discretion of the chairperson of the Conduct Body, a representative of the student press may be admitted, but shall not have the privilege of participating in the hearing.

(2) Admission of any person to the hearing shall be at the discretion of the chairperson of the Conduct Body.

(3) In hearings involving more than one accused student, the chairperson of the Conduct Body, in his or her discretion, may permit the hearings concerning each student to be conducted separately.
The accused has the right to be assisted by any adviser he/she may choose, at their own expense. The adviser may be an attorney. The accused is responsible for presenting his or her own case, and, therefore, advisers have no right to speak or participate directly in any hearing before a Conduct Body.

The Conduct Investigator and the accused shall have the privilege of presenting witnesses, subject to the right of cross examination by the other party and by the Conduct Body.

Pertinent records, exhibits and written statements may be accepted as information for consideration by a Conduct Body at the discretion of the chairperson.

All procedural questions, including those going to materials and testimony that will be presented during the hearing, are subject to the final decision of the chairperson of the Conduct Body.

After the hearing, the Conduct Body shall deliberate in private and shall determine (by majority vote if the Conduct Body consists of more than one person) whether the student is responsible for violating the Code of Student Conduct as cited.

The Conduct Body’s determination shall be made on the basis of whether there is substantial information that the accused student violated the Code of Student Conduct.

Reasonable efforts shall be undertaken to create a single verbatim record, such as a tape recording, of all hearings before a Conduct Body. The record shall be the property of the University.

Except in the case of a student cited with failing to obey the summons of a Conduct Body or University official, no student may be found responsible for having violated the Student Code solely because the student failed to appear before a Conduct Body. In all complaints, the information in support of the alleged violation shall be presented and considered.

C. Sanctions

Any prior Code violations the student has previously been found to have committed may be considered in imposing sanctions. The following sanctions may be imposed upon any student found to have violated the Student Code:

a. Warning - A notice in writing to the student.
b. Probation - A written reprimand for violation for specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any University regulation(s) during the probationary period.
c. Loss of Privileges - Denial of specified privileges for a designated period of time.
d. Fines - Previously established and published fines may be imposed.
e. Restitution - Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
f. Discretionary Sanctions - Work assignments, service to the University or other related discretionary assignments (such assignments must have the prior approval of the Conduct Administrator), etc.
g. No Contact Order - The student may have no further contact or communications with a student who was their accuser or otherwise involved with the Code violation.
h. Residence Hall Suspension - Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Condition for readmission may be specified.
i. Residence Hall Expulsion - Permanent separation of the student from the residence halls.
j. University Suspension - Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
k. University Expulsion - Separation of the student from the University permanently or on an indefinite basis. A student permanently expelled is prohibited from reapplying to the University in the future or from earning a degree from any of its colleges or schools. Readmission of a student expelled on an indefinite basis may not occur within five years and shall require the recommendation of the Vice President for
Student Affairs and approval of the Provost. If a disciplinary action results in the Conduct Administrator determining that expulsion is the appropriate sanction, then the Vice President for Student Affairs shall review the sanction and shall make the final decision to expel after consultation with the President of the University. Because a decision to expel a student is made after consultation with the President, a student has no right to request a review of the sanction of expulsion.

The foregoing is not an exhaustive list of every sanction that may be imposed against a student for a violation of the Code of Student Conduct.

(2) The following sanctions may be imposed upon any organization found to have violated the Code of Student Conduct:
   a. Any of the sanctions listed in paragraphs (1)a. through (1)k. above.
   b. Loss of recognition as a registered student organization. The Office of Student Affairs shall notify any national or regional governing body with which the organization is associated or which sponsors social, academic, or sports events when such suspension is imposed.

The foregoing is not an exhaustive list of every sanction that may be imposed against an organization for a violation of the Code of Student Conduct.

(3) More than one of the sanctions listed above may be imposed for any single violation.

(4) When a Conduct Body determines that a student has violated the Student Code, the Conduct Body shall recommend a sanction to be imposed to the Conduct Administrator. The Conduct Administrator shall review the information presented to the Conduct Body, shall review any prior violations of the Code by the student, and shall determine the appropriate sanction to be imposed. The Conduct Administrator is not limited to sanctions recommended by the Conduct Body. If the Conduct Administrator decides expulsion is the appropriate sanction, then his/her recommendation will be communicated to the Vice President for Student Affairs as provided in Section C(1) above. The Conduct Administrator shall advise the student in writing of the sanction(s) imposed.

D. Reviews

(1) A decision that a student or organization is responsible for a Code violation reached by the Conduct Body or a sanction imposed by the Conduct Administrator (excluding the sanction of expulsion of a student, which is determined by the Vice President for Student Affairs after consultation with the President) may be sent for review by a student to a Review Board within five (5) business days of the decision. Such reviews shall be in writing and shall be delivered to the Conduct Administrator or his or her designee.

(2) Except as required to explain the basis of new information, a review shall be limited to review of the verbatim record of the initial hearing as well as supporting documents and information relevant to the alleged violation and imposed sanction for one or more of the following purposes:
   a. To determine whether the original hearing was conducted fairly in light of the alleged violations and information presented, and in conformity with prescribed procedures giving the accused student or organization a reasonable opportunity to prepare and to present a defense to the allegations of misconduct.
   b. To determine whether the decision reached regarding the accused student or organization was based on substantial information, that is, whether the information presented was sufficient to establish that a violation of the Code of Student Conduct occurred.
   c. To determine whether the sanction(s) imposed were appropriate for the violation for the Code of Student Conduct that the student or organization was found to have committed.
   d. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or acts were not known to the person being reviewed at the time of the original hearing.